

elf atochem



Environmental Law Department

Elf Atochem North America, Inc.

2000 Market Street
Philadelphia, PA 19103-3222
Tel.: 215.419.7000
Direct Dial: (215) 419-7903
Telecopier: (215) 419-7597

108246

November 28, 1995

VIA TELECOPY AND U.S. MAIL

Patricia Miller, Esquire
Assistant Regional Counsel (3RC22)
USEPA - Region III
841 Chestnut Building
Philadelphia, PA 19107

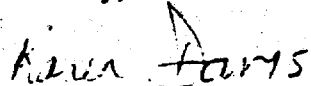
Re: Natrona Superfund Site - Need for Access

Dear Ms. Miller:

As you know Elf Atochem has been conducting remedial design work under the terms and conditions of the Consent Decree between Elf Atochem and EPA for the Natrona Superfund Site in Harrison Township, Pennsylvania. Elf Atochem has previously indicated to EPA that it required access from Allegheny Ludlum for a parcel of property on which the upgraded leachate treatment plant is intended to be constructed and that despite continued and prolonged efforts by Elf Atochem, we have been unable to secure access from Allegheny Ludlum on a voluntary basis. EPA has indicated that it would provide assistance in securing access from Allegheny Ludlum. The purpose of this letter is to advise you that Elf Atochem may have to invoke the force majeure provision of the Consent Decree if access for this parcel is not secured by the time EPA comments on and approves the preliminary design report submitted by Elf Atochem in July 1995. Elf Atochem will not be able to proceed with the final design deliverable until access is obtained since access is needed to allow us to collect the samples necessary for determining foundation design criteria.

If you have any questions please call me at 215-419-7903 or Doug Loutzenhiser at 215-419-5814.

Sincerely,


Karen H. Davis
Senior Counsel

cc: J. Cruden, DOJ
D. Santiago, EPA
D. Loutzenhiser

AR000917